

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SAP AG and SAP AMERICA, INC.,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

Case No. 1:11-cv-02648 KBF

(ECF CASE)

**DECLARATION OF EDWARD R. REINES IN SUPPORT OF
SAP AG AND SAP AMERICA, INC.'S OPPOSITION TO DATATERN'S MOTION TO
AMEND ITS COUNTERCLAIMS**

I, Edward R. Reines, hereby declare:

1. I am an attorney with the law firm of Weil, Gotshal & Manges LLP, counsel of record for SAP AG and SAP America, Inc. in the above-captioned matter. I submit this declaration based on personal knowledge following a reasonable investigation. If called upon as a witness, I could competently testify to the truth of each statement herein.

2. Attached as Exhibit A to this declaration is a true and correct copy of DataTern, Inc.'s First Supplemental Rule 26(A)(1)(A) Initial Disclosures, dated December 11, 2012.

3. Attached as Exhibit B to this declaration is a true and correct copy of DataTern's Opposition to Defendants' Motion to Stay, *DataTern, Inc. v. Staples, Inc., et al.*, 2:10-cv-00133-MHS-CMC (E.D. Tex.) [D.I. 149].

4. Attached as Exhibit C to this declaration is a true and correct copy of DataTern's Opposition to Defendants' Motion to Stay, *DataTern, Inc. v. Eli Lilly & Co., et al.*, 2:10-cv-00413-MHS-CMC (E.D. Tex.) [D.I. 105].

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: December 13, 2012

By: /s/ Edward R. Reines
EDWARD R. REINES

*Attorney for Plaintiffs-Counterclaim Defendants
SAP AG and SAP America, Inc.*